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WP.No.14067 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

AND

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

WP.No.14067 of 2024
WMP.Nos.15247 and 15248 of 2024

V.Ramya

Petitioner

Vs

1. Union of India, represented by Secretary Revenue
Government of Puducherry, Puducherry
2. The District Collector, Puducherry
3. The Tahsildar, Puducherry Taluk, Puducherry
4. The Deputy Tahsildar Cum Executive Magistrate, Puducherry
5. The Coordinate (Admission), Centralised Admission Committee
Directorate of Higher and Technical Education
Government of Puducherry

Respondents

Prayer:- This Writ Petition has been filed, under Article 222 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 1st Respondent in C.No.6160/TOP/C/2024/M-Camp, dated 20.05.2024 by granting



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Community certificate as “Hindu-Gavara” and to quash the same and to direct the 4th Respondent to issue Community certificate as Vanniar (origin) MBC to the daughter of the Petitioner, namely, J.Dhatchayeni.

For Petitioner : Mr.J.Rahmohan

For Respondents : No Appearance

ORDER

(Order of the Court was made by S.S.SUNDAR, J.)

1. This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 1st Respondent in C.No.6160/TOP/C/2024/M-Camp, dated 20.05.2024 by granting Community Certificate as “Hindu-Gavara” and to quash the same and to direct the 4th Respondent to issue Community Certificate as Vanniar (origin) MBC to the daughter of the Petitioner, namely, J.Dhatchayeni.
2. This court heard the learned counsel for the Petitioner and considered his submissions and also carefully perused the materials placed on record. There is no representation for the Respondents.
3. The Petitioner applied for issuance of Community Certificate for her daughter by name, J.Dhatchayeni, by considering the Petitioner's Community status as “Vanniar”. The case of the Petitioner is that her



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husband hails from Tamil Nadu and that he belongs to “Hindu-Gavara” Community. It is not in dispute that the Petitioner belongs to Vanniar Community. Since the Petitioner married a person, who belongs to “Hindu-Gavara” Community, the question is about the Community status of the Petitioner's daughter.

4. The issue is no more res-integra. This Court has, in few cases, accepted the position that the Community status of the children born to the couple, who belong to different communities should be decided on the basis how the children are brought up. In Pondicherry, if either of the parents has the origin in Pondicherry, it is sufficient for their children to get a certificate.
5. In this case, except the fact that the Petitioner's husband hails from Tamil Nadu, the fact that the entire family is living in Puducherry is not in dispute. Even though the Petitioner's husband hails from Tamil Nadu, the Petitioner is living permanently with her daughter at Puducherry. Since the Petitioner's daughter is born and brought up in Puducherry, this Court has no hesitation to hold that the Writ Petition has to be allowed and the Community certificate issued to the Petitioner's daughter is set aside.



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6. In fine, this Writ Petition is allowed. No costs. Consequently, the connected MPs are closed. The Respondents are directed to issue Community Certificate to the Petitioner's daughter based on her mother's Community status, within a period of twelve weeks from the date of receipt of a copy of this order.

(S.S.S.R.J.) & (N.S.J.)
25.07.2024

Index: Yes/No
Web: Yes/No
Speaking/Non Speaking
Neutral Citation
Srcm

To

6. Union of India, represented by Secretary Revenue
Government of Puducherry, Puducherry
7. The District Collector, Puducherry
8. The Tahsildar, Puducherry Taluk, Puducherry
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S.S.SUNDAR, J.
and
N.SENTHILKUMAR, J.

Srsm

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